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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

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7 ELI MELLOR,

8 Plaintiff,

9 vs.

10 WEST TROP STORAGE, LLC, *et al.*,

11 Defendants.

2:13-cv-01502-JCM-VCF

ORDER

[Motion to Withdraw as Counsel #14]

12 Before the Court is Plaintiff's Motion to Withdraw as Counsel of Record (#14).
13

14 **Relevant Background:**

15 Plaintiffs' counsel filed the instant Motion to Withdraw as Counsel on January 7, 2014. (#14).
16 P. Sterling Kerr, Esq. and The Law Offices of P. Sterling Kerr seek to withdraw as counsel for Plaintiff
17 Eli Mellor. Mr. Kerr represents that continued representation would create an unreasonable financial
18 burden upon the attorney and believes that Ms. Mellor will not be financially able to pay for any further
19 legal services of any kind. *Id.*

20 **Discussion:**

21 Pursuant to Local Rule IA 10-6(b), "[n]o attorney may withdraw after appearing in a case except
22 by leave of [c]ourt after notice has been served on the affected client and opposing counsel." "Except
23 for good cause shown, no withdrawal or substitution shall be approved if delay of discovery, the trial or
24 any hearing in the case would result." LR IA 10-6(e). Nevada Rule of Professional Conduct 1.16(b)(1)
25 provides that a lawyer may withdraw from representation if "withdrawal can be accomplished without

1 material adverse effect on the interests of the client.” NRPC 1.16 also permits withdrawal where “other
2 good cause exists.” *See* NRPC 1.16(b)(7).

3 Mr. Kerr states that “[d]iscovery has begun, documents have been exchanged but no depositions
4 have been taken.” This action commenced on August 21, 2013 (#1), and no trial date has been set for
5 this matter and no hearing dates have been scheduled; thus, permitting P. Sterling Kerr, Esq. and The
6 Law Offices of P. Sterling Kerr to withdraw would not result in delay. LR IA 10-6(e).

7 Plaintiff Eli Mellor must either retain counsel or file a notice of appearing *pro se* within 30 days
8 from the entry of this order.

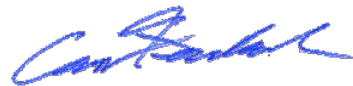
9 Accordingly, and for good cause shown,

10 IT IS HEREBY ORDERED that the Motion to Withdraw as Counsel (#14) is GRANTED.

11 IT IS FURTHER ORDERED that the Clerk of the Court will mail a copy of this order to the
12 following:

13
14 Eli Mellor
15 981 W. Arrow Hwy
16 San Dimas, CA 91773

17 DATED this 17th day of January, 2014.



18 CAM FERENBACH
19 UNITED STATES MAGISTRATE JUDGE
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